

Message Text

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ORIGIN DOTE-00

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00
DODE-00 EB-07 INR-07 NSAE-00 EPG-02 FAA-00 L-03
NSC-05 SS-15 INRE-00 NSCE-00 SSO-00 /054 R

DRAFTED BY DOT/OST/TGC:PLARSEN:PMA
APPROVED BY EB/OA/AN:RABROWN
EB/OA/AVP:AJWHITE
EB/OA/AVP:SCKEITER
L/EB:PMICKEY
EUR/NE:TSHUMATE (INFO)
CAB:CORBOY

-----312224Z 012336 /70

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FM SECSTATE WASHDC
TO AMEMBASSY LONDON IMMEDIATE

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E.O. 11652: N/A

TAGS: EAIR, UK, US

SUBJECT: US-UK CIVIL AIR NEGOTIATIONS: DRAFT ARTICLE
ON USER CHARGES

REF: LONDON 8957, 8951, 8958

FOLLOWING ARE COMMENTS ON USER CHARGES ARTICLE:

1. RE U.S. PARA 3: CHARGES SHOULD NOT EXCEED COST OF
PROVIDING SERVICES; AND WE BELIEVE SENTENCE TO THAT
EFFECT SHOULD BE INCLUDED. WE PREFER "REASONABLE RATE
OF RETURN", DELETING "ECONOMIC". IF UK INSISTS, THE
REFERENCE SHOULD BE TO FINANCIAL RATHER THAN ECONOMIC
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RATE OF RETURN. (WE RECOGNIZE THAT BRITISH AND OURSELVES
MAY HAVE DIFFERENT INTERPRETATIONS OF "REASONABLE").

2. RE U.S. PARA 4: FIRST SENTENCE IS ESSENTIAL, BUT
EXTENSIVE SPECIFICITY IS NOT, SO USDEL SHOULD NOT INSIST
ON REMAINDER OF PARA.

3. RE U.S PARA 5: LENGTHY PARAGRAPH ON CONSULTATION IN THE USER CHARGE ARTICLE MAY NOT BE NECESSARY IF THIS ISSUE IS INCLUDED ELSEWHERE IN THE AGREEMENT AMONG ISSUES ON WHICH CONSULTATION MAY BE OBTAINED. HOWEVER, IT IS UNSATISFACTORY TO PROVIDE CONSULTATION "WITHIN ESTABLISHED INTERNATIONAL FRAMEWORK" AS PROPOSED IN U.K. DRAFT. THIS COULD BE REFERENCE TO ICAO. CONSULTATION SHOULD BE AVAILABLE WITHIN FRAMEWORK OF THE BILATERAL.

4. RE U.S. PARA 6: WASHINGTON AGENCIES AGREE IT WOULD BE HELPFUL IF THE DATA TO BE EXCHANGED WERE IN SUCH A FORM AS TO PERMIT "ACCURATE REVIEW" OF THE CHARGES AND THEIR RELATIONSHIP TO COST.

5. RE U.S PARA 7: IN PRACTICE IT MAY BE UNREALISTIC TO REQUIRE THAT REVISED CHARGES BE MADE RETROACTIVE AND THAT PROVISION, WHILE DESIRABLE, IS THEREFORE EXPENDABLE.

6. FYI. THE DELEGATION SHOULD BE AWARE THAT THE US DEPARTMENT OF TRANSPORTATION IS PREPARING TREATY PROPOSALS FOR CONSIDERATION BY ICAO WHICH WOULD REQUIRE THAT AIRPORT AND AIR NAVIGATION CHARGES BE REASONABLE AS WELL AS NON-DISCRIMINATORY. IF ADOPTED, SUCH ADDITIONAL REQUIREMENT WOULD BECOME BINDING ON ALL U.S. AIRPORTS (FEDERAL AS WELL AS LOCAL) IN THE SAME FASHION AS THE ARTICLE 15 REQUIREMENT OF NON-DISCRIMINATION. (OTHER AGENCIES HAVE NOT YET HAD AN OPPORTUNITY TO COMMENT ON THESE PROPOSALS.) CHRISTOPHER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, AGREEMENT DRAFT, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 31-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770193-0784
Format: TEL
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Handling Restrictions: n/a
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Legacy Key: link1977/newtext/t1977051/aaaaaarz.tel
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